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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,468	02/24/2004	Arno Haloila	PIR-114	1759

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EXAMINER

TAWFIK, SAMEH

ART UNIT	PAPER NUMBER
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3721

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/784,468

Applicant(s)

HALOILA, ARNO

Examiner

Sameh H. Tawfik

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) 9-12 and 15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 13 and 14 is/are rejected.
- 7) ☒ Claim(s) 1-8, 13 and 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Applicant's election and remarks in the reply filed on 05/16/2005 is acknowledged. The examiner re-join claims 1-8 and 13-14, but claims 9-12 and 15 still referring to different species as shown in applicant's Figs. 10-16 as referring to two parts, closed loop and openable track.

The requirement is still deemed proper and is therefore made FINAL.

Claim Objections

Claims 1-8 and 13-14 are objected to because of the following informalities:

“characterized” in the claims need to be changed to --comprising--. Appropriate correction is required;

In (claim 7, line 1) delete “in that”;

In (claim 14, line 3) delete “selongated” and instead insert --elongated--.

Specification

The disclosure is objected to because of the following informalities: in the (specification, page 2, line 4) delete “and”;

(specification, page 5, line 18) delete “20” and instead insert --30--; etc.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-8, and 13-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Mauro (5,768,862).

Mauro discloses a wrapping packaging machine (1) for the packaging of an object (2), said wrapping packaging machine comprising a track disposed mainly around the object (Fig. 1) to be packaged, at least one film feed device (Fig. 2) carrying at least one wrapping film roll (5) for wrapping a plastic film band around the object (2) to be packaged, and a drive for moving the film feed device around the object to be packaged (Figs. 1 and 4), that the drive of the wrapping packaging machine (1) comprises at least one elongated body (Fig. 1; via 12), preferably a flexible rod, band, chain or equivalent (Fig. 1; the toothed body looks more like a chain or equivalent), at least one drive element such as a drive wheel (18), an endless band or equivalent for moving the elongated body (12) along the track, and that at least one film feed device (Fig. 2) is connected to the elongated body (Fig. 1) either directly or via at least one connecting element, for moving it around the object to be packaged (Fig. 1).

Regarding claim 3: the track of the wrapping packaging machine is of a loop-shaped, preferably circular or oval form or a rectangular track with rounded corners (Fig. 1).

Regarding claim 4: the plane passing through the track of the wrapping packaging machine is preferably vertical or horizontal (Fig. 1).

Regarding claim 5: the elongated body on the track is made of flexible material, such as plastic or rubber, adaptable to the shape of the track (Fig. 1; via the body taking the shape of the track).

Regarding claim 6: the drive wheel (18) in the track is a friction wheel for moving the elongated body (12) on the track by friction, see for example (Fig. 1).

Regarding claim 7: the elongated body (12) on the track is a chain adaptable to the shape of the track (Fig. 1; via toothed 12).

Regarding claim 8: the drive wheel (18) in the track is a toothed wheel, and that the elongated body (12) on the track is provided with a toothing corresponding to the teeth of the toothed wheel and engaging the toothed wheel, see for example (fig. 1).

Regarding claim 13: the wrapping packaging machine (1) comprises two track, of which a first track carries the elongated body (12) while a second track carries at least one carriage provided with at least one film feed device (via 5), see for example Fig. 1.

Regarding claim 14: the first, outer track of the wrapping packaging machine (1) carries the elongated body (12), which is supported by bearing rollers (Fig. 3; via wheel 13), while the second, inner tack consisting of a guide rail supports the carriage of the film feed device (Fig. 2), and that the elongated body (12) and the carriage are connected together by a connecting element, such as a connecting rod (Figs. 1-3; via different stations in same apparatus have to be somehow connected to each other).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mauro (5,768,862) in view of Araujo (6,520,445).

Mauro does not disclose two or more film feed device. However, Araujo discloses similar wrapping packaging machine with using two film feed device (Figs. 1, 2, and 6; via 8) to provide a durable and simple to operate coil wrapping machine.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Mauro's packaging machine by using more than one film feed device, as suggested by Araujo, in order to provide a durable and simple to operate coil wrapping machine (column 1, lines 14 and 15).

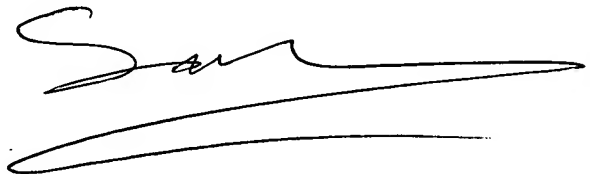
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sameh H. Tawfik whose telephone number is 571-272-4470. The examiner can normally be reached on Tuesday - Friday from 8:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi Rada can be reached on 571-272-4467. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sameh H. Tawfik
Patent Examiner
Art Unit 3721



ST.